

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NJ HOTEL MANAGEMENT, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:11-cv-01213-LO/TCB
)	
MOLINARO KOGER, INC., et al.)	
)	
Defendants.)	

**DEFENDANTS' MOLINARO KOGER, INC.,
BLACK DIAMOND BROKERAGE SERVICES, LLC
AND BLACK DIAMOND HOSPITALITY MK LLC's
ANSWER TO COMPLAINT**

Defendants, Molinaro Koger, Inc. ("MK"), Black Diamond Brokerage Services LLC ("BDBS"), Black Diamond Hospitality MK LLC ("BDH") (hereinafter collectively referred to as "Defendants") hereby Answer the Complaint as follows:

1. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Complaint and therefore deny the allegations.
2. Defendants deny the allegations in Paragraph 2 of the Complaint.
3. Paragraph 3 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 3 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 3 of the Complaint.
4. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Complaint and therefore deny the allegations.

5. Defendants admit the allegations in Paragraph 5 of the Complaint.

6. Defendants admit the allegations in Paragraph 6 of the Complaint except that Defendants deny that Black Diamond Brokerage was formed for the sole purpose of taking control of MK.

7. Defendants admit the allegations in Paragraph 7 of the Complaint except that Defendants deny that Black Diamond Hospitality MK was formed for the sole purpose of taking control of certain personal and business assets of Koger.

8. Defendants deny the allegations in Paragraph 8 of the Complaint.

9. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 9 of the Complaint.

10. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 10 of the Complaint.

11. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 11 of the Complaint.

12. Defendants admit the allegations in Paragraph 12 of the Complaint.

13. Defendants admit the allegations in Paragraph 13 of the Complaint.

14. Defendants admit the allegations in Paragraph 14 of the Complaint.

15. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 15 of the Complaint.

16. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 16 of the Complaint.

17. Defendants admit the allegations in Paragraph 17 of the Complaint except that Defendants deny that Black Diamond Brokerage and Black Diamond Hospitality were formed for the sole purpose of accomplishing the allegations in paragraph 16 of the Complaint.

18. Defendants admit the allegations in Paragraph 18 of the Complaint.

19. Defendants state that the document speaks for itself and therefore, no response is required.

20. Defendants state that the document speaks for itself and therefore, no response is required.

21. Defendants state that the document speaks for itself and therefore, no response is required.

22. Defendants state that the document speaks for itself and therefore, no response is required.

23. Defendants state that the document speaks for itself and therefore, no response is required.

24. Defendants deny the allegations in Paragraph 24 as they relate to Mr. Lalwani.

25. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 of the Complaint and therefore deny the allegations.

26. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Complaint and therefore deny the

allegations.

27. Defendants state that the document speaks for itself and therefore, no response is required.

28. Defendants state that the document speaks for itself and therefore, no response is required.

29. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 of the Complaint and therefore deny the allegations.

30. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 30 of the Complaint.

31. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 of the Complaint and therefore deny the allegations.

32. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 32 of the Complaint.

33. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 33 of the Complaint and therefore deny the allegations.

34. Defendants state that the document speaks for itself and therefore, no response is required.

35. Defendants state that the document speaks for itself and therefore, no response is

required.

36. Defendants state that the document speaks for itself and therefore, no response is required.

37. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Complaint and therefore deny the allegations.

38. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 38 of the Complaint.

39. Defendants state that the document speaks for itself and therefore, no response is required.

40. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 of the Complaint and therefore deny the allegations.

41. Paragraph 41 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 41 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 41 of the Complaint.

42. Paragraph 42 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 42 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 42 of the Complaint.

43. Plaintiff has made multiple averments in this paragraph and the paragraph is neither

concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 43 of the Complaint.

44. Defendants deny the allegations in Paragraph 44 of the Complaint.

45. Paragraph 45 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 45 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 45 of the Complaint.

46. Defendants incorporate the responses to paragraphs 1-45 of the Complaint as if repeated herein verbatim.

47. Defendants admit the allegations in Paragraph 47 of the Complaint.

48. Defendants state that the document speaks for itself and therefore, no response is required.

49. Defendants admit the allegations in Paragraph 49 of the Complaint.

50. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 of the Complaint and therefore deny the allegations.

51. Defendants admit the allegations in Paragraph 51 of the Complaint.

52. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 52 of the Complaint.

53. Defendants incorporate the responses to paragraphs 1-52 of the Complaint as if repeated herein verbatim.

54. Paragraph 54 of the Complaint contains assertions of law that would require

Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 54 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 54 of the Complaint.

55. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 55 of the Complaint.

56. Paragraph 56 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 56 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 56 of the Complaint.

57. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 57 of the Complaint.

58. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 58 of the Complaint.

59. Defendants incorporate the responses to paragraphs 1-58 of the Complaint as if repeated herein verbatim.

60. Paragraph 60 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 60 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 60 of the Complaint.

61. Paragraph 61 of the Complaint contains assertions of law that would require

Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 61 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 61 of the Complaint.

62. Paragraph 62 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 62 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 62 of the Complaint.

63. Paragraph 63 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 63 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 63 of the Complaint.

64. Paragraph 64 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 64 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 64 of the Complaint.

65. Paragraph 65 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 65 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 65 of the Complaint.

66. Paragraph 66 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 66 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 66 of the Complaint.

67. Defendants incorporate the responses to paragraphs 1-67 of the Complaint as if repeated herein verbatim.

68. Paragraph 68 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 68 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 68 of the Complaint.

69. Paragraph 69 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 69 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 69 of the Complaint. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 69 of the Complaint.

70. Paragraph 70 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 70 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 70 of the Complaint.

71. Paragraph 71 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 71 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 71 of the Complaint.

72. Defendants incorporate the responses to paragraphs 1-71 of the Complaint as if repeated herein verbatim.

73. Plaintiff has made multiple averments in this paragraph and the paragraph is neither

concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 73 of the Complaint.

74. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 74 of the Complaint.

75. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 75 of the Complaint.

76. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 76 of the Complaint.

77. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 77 of the Complaint.

78. Plaintiff has made multiple averments in this paragraph and the paragraph is neither concise nor direct; to the extent an answer is required, Defendants deny the averments in Paragraph 78 of the Complaint.

79. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 79 of the Complaint and therefore deny the allegations.

80. Paragraph 80 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 80 of the Complaint. Defendants deny all remaining factual

allegations contained in Paragraph 80 of the Complaint.

81. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 81 of the Complaint and therefore deny the allegations.

82. Paragraph 82 of the Complaint contains assertions of law that would require Defendants to form a legal conclusion. Accordingly, Defendants neither admit nor deny the legal conclusions made in Paragraph 82 of the Complaint. Defendants deny all remaining factual allegations contained in Paragraph 82 of the Complaint.

83. As to the allegations contained in Plaintiffs' paragraph beginning "WHEREFORE", Defendants deny that Plaintiff is entitled to any relief under the facts and circumstances of this case.

Respectfully submitted,

/S/ Daniel S. Ward
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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December 2011, I electronically filed the foregoing with the Court of the Court using the CM/ECF system, which will then send, as appropriate, a notification of such filing to the following:

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/S/ Daniel S. Ward
Daniel S. Ward